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AGENDA

SPECIAL MEETING OF THE CITY COUNCIL

FEBRUARY 16, 2005

7:30 P.M.

COUNCIL CHAMBERS

5300 BELT LINE ROAD

SPECIAL SESSION

Item #S1 - Consideration of and action regarding adoption of a Resolution filling a vacancy (by appointment) in the position of City Council Member of the Town of Addison until the May 7, 2005 general Town election, and take appropriate action.

Attachments:

1. Proposed Resolution

Item #S2 - Consideration of and action regarding adoption of a Resolution amending Resolution R05-013 (calling for a special election for May 7, 2005 to fill a vacancy in the office of Council Member of the City), by adding to the call of the special election the election of one (1) person to fill the unexpired term remaining in the office of Council Member, the unexpired term resulting from the resignation of a second member of the City Council, so that the May 7, 2005 special election shall be for the purpose of electing one (1) person to fill the unexpired term remaining for each of two (2) offices of Council Member, the unexpired terms resulting from the resignation of two (2) members of the City Council.

Attachments:

1. Proposed Resolution

Adjourn Meeting

Posted 5:00 p.m.
Friday, February 11, 2005
Carmen Moran
City Secretary

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS
WITH DISABILITIES. PLEASE CALL (972) 450-2819 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

RESOLUTION NO. R05-__

A RESOLUTION BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, FILLING AN EXISTING SINGLE VACANCY IN THE OFFICE OF COUNCIL MEMBER OF THE CITY COUNCIL BY NAMING AND APPOINTING A PERSON TO FILL THE VACANCY; PROVIDING THAT THE PERSON APPOINTED TO FILL THE VACANCY SHALL SERVE UNTIL THE NEXT GENERAL TOWN ELECTION TO BE HELD ON MAY 7, 2005; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a single vacancy in the office of Council Member of the Town of Addison, Texas (the "City") was heretofore created and currently exists as a result of the submission of a written resignation from such office and the expiration of eight (8) days after the date of the receipt of the resignation (as provided by Section 201.023 of the Texas Election Code); and,

WHEREAS, the term of the said vacated office will not expire until the general election for the election of members of the City Council to be held in May, 2006; and,

WHEREAS, Section 2.02 of the City Charter provides in part that a single vacancy in the City Council shall be filled by a majority vote of the remaining members of the Council within 30 days of the vacancy at a meeting subsequent to the date on which the vacancy occurs, and that the person selected may not be one of the remaining members of the Council; and,

WHEREAS, Section 2.02 further provides that, once chosen, the person selected shall serve until the next general Town election to be held to fill the unexpired term or regular term, as the case may be; and,

WHEREAS, the City Council desires to fill the single vacancy in accordance with the City Charter, applicable State law, and as set forth herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. The above and foregoing premises are true and correct and are incorporated herein made a part hereof for all purposes.

Section 2. There being a single vacancy in the office of Council Member of the City Council of the Town of Addison, the Council does hereby name and appoint _____ to fill the vacancy. _____ shall serve as a member of the City Council until the next general Town election to be held on May 7, 2005, and until a person is elected to fill the unexpired term of the said office at a special election to be held on the same date and is duly qualified.

Section 3. This Resolution shall be effective immediately from and after its date of adoption.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 16th day of February 2005.

R. Scott Wheeler, Mayor

ATTEST:

Carmen Moran, City Secretary

APPROVED AS TO FORM:

Kenneth C. Dippel, City Attorney

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS AMENDING RESOLUTION NO. R05-013, WHICH RESOLUTION CALLED AND ORDERED A SPECIAL ELECTION FOR MAY 7, 2005 TO FILL A VACANCY IN A SINGLE OFFICE OF COUNCIL MEMBER OF THE CITY, BY ADDING TO THE CALL AND ORDER OF THE SPECIAL ELECTION THE ELECTION OF ONE (1) PERSON TO FILL THE UNEXPIRED ONE (1) YEAR TERM REMAINING IN A SECOND OFFICE OF COUNCIL MEMBER OF THE CITY; PROVIDING THAT ALL OTHER TERMS AND PROVISIONS OF RESOLUTION NO. R05-013 ARE NOT AMENDED HEREBY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas (the "City") heretofore adopted Resolution No. R05-013 calling and ordering a special election to be held within the City on May 7, 2005, for the purpose of electing one (1) person to the office of Council Member for a one (1) year unexpired term, which term is to expire in May, 2006; and

WHEREAS, following the adoption of Resolution No. R05-013, a second Council Member of the City Council resigned, resulting in a vacancy on the City Council, which vacancy was filled by a vote of the remaining members of the Council in accordance with Section 2.05 of the City Charter, as set forth in Resolution No. _____; and

WHEREAS, Section 2.05 of the Charter further provides that the person selected to fill the vacancy serves until the next general Town election shall be held to fill the unexpired term or regular term, as the case may be, which election is to be held on May 7, 2005; and

WHEREAS, in accordance with the City Charter and State law, the Town Council desires to amend Resolution No. R05-013 by adding to the call and order of the special election the election of one (1) person to fill the unexpired term remaining in a second office of Council Member of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment to Resolution No. R05-013. Resolution No. R05-013 is hereby amended by amending Section 2 and Section 8 thereof to read as follows:

Section 2. Election Date; Purpose of Election; Officer and Term of Office. A special election shall be held in and throughout the City on Saturday, May 7, 2005, for the purpose of electing the following officers:

OFFICE OF THE CITY SECRETARY

RESOLUTION NO. _____

Two (2) Council Members for a one (1) year unexpired term each, to expire in May, 2006

Section 8. Method of Voting. The City Secretary is hereby authorized to contract with Dallas County for the conduct of the joint election, and Dallas County shall be responsible for an optical scanning voting system. Dallas County shall be responsible for the preparation of the official ballots for the election, and they shall conform to the requirements of the Code, and in so doing shall permit the voter to vote for two (2) Council Members for an unexpired one (1) year term each. No voter shall vote for more than one (1) candidate for each of the unexpired one (1) year terms.

Section 3. No Other Amendments. Except as amended herein, there are no other amendments to Resolution No. R05-013, and Resolution No. R05-013, as so amended, is and shall remain in full force and effect.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its passage.

**DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, this the 16th day of February, 2005.**

Mayor R. Scott Wheeler

ATTEST:

CITY SECRETARY